

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

CAR SENSE, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
AMERICAN SPECIAL RISK, LLC,	:	
et al.	:	NO. 13-5661

ORDER

AND NOW, this 24th day of October, 2014, upon consideration of defendant American Special Risk, LLC's ("ASR") Motion to Dismiss Pursuant to Rule 12(b)(6) (Docket No. 3), the response in opposition by plaintiff Car Sense, Inc. ("Car Sense", ASR's reply in support of the motion, and Car Sense's surreply in opposition, for the reasons stated in a memorandum of law bearing today's date, IT IS HEREBY ORDERED that the motion is GRANTED. All claims against ASR are dismissed with prejudice.

The Court also gives notice to Car Sense of its intention to dismiss all claims against Signet Reinsurance Company, Ltd. ("Signet Re") and Signet Financial Group, Inc. ("Signet Financial"). These entities have not yet been served in this suit. Fed. R. Civ. P. 4(m) requires a district court, after notice to the plaintiff, to dismiss an action against a defendant without prejudice if that defendant has not been served within 120 days after the complaint is filed. Rule 4(m) also requires a district court to extend the time for service if

the plaintiff shows good cause for the failure to serve.

This action was removed to this Court over a year ago. In that time, no affidavit of service for either Signet entity has been filed, nor has Car Sense made any motion requesting the Court's assistance in serving the Signet entities. Car Sense has not made any showing of good cause for failure to serve the Signet entities. Car Sense has until November 7, 2014, to show cause as to why the Court should not dismiss all claims against Signet Financial and Signet Re without prejudice.

BY THE COURT:

/s/Mary A. McLaughlin
MARY A. McLAUGHLIN, J.